



RECEIVED

OCT 10 2003

TECH CENTER 1600/2900

PATENT

ATTORNEY DOCKET NO. 04163-00037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

R. Eric Montgomery

Serial No.: 09/398,156

Filed: September 16, 1999

Title: IMPROVED PROTEINACEOUS ANIMAL CHEW  
WITH DENTALLY THERAPEUTIC CATION

Examiner: Neil S. Levy

Art Unit: 1616

#27  
10/16/03

Commissioner for Patents  
Mail Stop AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97-1.99, Applicant hereby submits the enclosed PTO Form 1449. Copies of these references are enclosed. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. § 1.56.

This statement is being filed after a final Office Action, but before payment of the issue fee. I, the undersigned, hereby certify that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

10/09/2003 DTESSEM1 00000135 190733 09398156

01 FC:1806 180.00 DA

USSN 09/398,156  
Express Mail Receipt No. EV 159077016 US

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. § 102 or § 103.

Please charge Deposit Account No. 19-0733 for \$180.00 in payment of the fee of §1.17(p).

Respectfully submitted,

Dated: \_\_\_\_\_

By \_\_\_\_\_  
John P. Iwanicki, Reg. No. 34,628  
BANNER & WITCOFF, LTD.  
28 State Street, 28th Floor  
Boston, MA 02109  
(617) 720-9600